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April 13, 2022

VIA ECF

The Honorable Julien Xavier Neals, U.S.D.J.
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: *Smith & Wesson Brands, Inc. v. Gurbir S. Grewal, et al.*
Docket No. 20-cv-19047-JXN-ESK

Dear Judge Neals:

This office represents Defendants in the above-referenced matter. We are in receipt of Smith & Wesson's letter to the Court, dated April 11, 2022, requesting a status conference in light of the Third Circuit's recent remand.

Defendants agree that a status conference is desirable to allow the Court and the parties to formulate the most efficient plan for future handling of this federal case. At that status conference, Defendants intend to discuss with Your Honor the setting of a schedule for additional briefing in support of Defendants' motion to dismiss and/or to stay on non-*Younger* abstention grounds in light of intervening developments. As Your Honor is aware, Defendants' motion to dismiss the matter remains pending. After that motion was fully briefed, the New Jersey Superior Court Chancery Division ordered Smith & Wesson to comply with the relevant subpoena, and Smith and Wesson has



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appealed that order to the New Jersey Superior Court Appellate Division, where the appeal is fully briefed.

Thus, Defendants disagree with Plaintiffs' suggestion of a Rule 16 conference to establish a schedule for Smith & Wesson to conduct discovery while Defendants' motion to dismiss is still pending and supplemental briefing on dismissal and/or a stay may be in progress.

Defendants believe that, given these circumstances, this is the most appropriate and efficient way to proceed, both for the parties and the Court.

Thank you for your kind consideration of this submission.

Respectfully submitted,

MATTHEW J. PLATKIN
ACTING ATTORNEY GENERAL OF
NEW JERSEY

By: /s/ Robert J. McGuire
Robert J. McGuire
Deputy Attorney General

cc: All counsel (via ECF)